

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - SEPTEMBER 6, 2006

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:15 A. M. -PRE-TRIAL CONFERENCES IN CHAMBERS

Lamie ABINGDON SEED COMPANY AND SUPPLIES, LLC 04-02034 Vogel/AF
AP 06-07033; 454 (Recover money/property) (*cont from 5/10 and 8/16*)
Trustee (Cromwell) vs Caudill Seed and Warehouse, Co., Inc. (Esposito),
Answer filed 4/28 #8
(Esposito to appear in person; Mr. Cromwell by Telephone (982-1220))

9:30 A. M. -PRE-TRIAL CONFERENCES

Farthing HOWARD AND PATRICIA HIBBS 06-71952 Widener/SJ
AP: 06-07063; 435 Validity/Priority/Extent of Lien (*summons issued 6/9/06*)
Debtors vs Patricia Kolvek (Copeland)and Citibank(South Dakota) NA (Corbett)

Answer to Complaint *and Motion for Abstention and Counterclaim* filed 8/17 #13 by
defendant/Kolvek (Copeland)

*Amended Agreed Order entered 7/12 #8 as to Citibank only; AP is still pending as to
Patricia Kolvek. Pre-Trial continued from 7/19 for responsive pleading to be filed from
Patricia Kolvek*

Carmody HOLLY SMITH 06-70491 Jessee/NS
AP: 06-07081; 454 Recover Money/Property; *summons issued 7/17/06*
Debtor vs Trustee (Jessee)
Answer filed 7/26 #4 (Jessee)

Largen JOSEPH AND INEDA JENNINGS (*PFD 8/18/05*) 05-73129 Jessee/S
AP 06-07078; 424 Obj/Revocation Discharge 727 (*summons issued 7/7 #3*)
Opal Clifton (Shortridge) vs Debtors (Largen) *cont from 8/16*
Answer (*Affirmative Defenses and Motion to Dismiss*) filed 8/4 #5 (Largen)
Plaintiff Notice (*asking Court to Overrule Motion to Dismiss*) filed 8/11 #6 *and*
scheduled for 9/6 @ 10AM (Shortridge)
(See also Ch 7 trustee motion for Authority to Accept Settlement @ 10:00AM on pg #2)

ABG 9/6

10:00 A.M. MISCELLANEOUS

Largen JOSEPH AND INEDA JENNINGS (PFD 8/18/05) 05-73129 Jessee/S
 Motion for Authority to Accept Settlement with Debtors filed 7/18 #118, ,121
 (Callahan) *with Motion and Order to Establish Deadline for Filing objections #119,120*
 OBJ: filed 8/11 #122 by Opal Clifton (Shortridge)

(See also AP 06-07078 above at 9:30 time frame on pg #1)

Slavin BENJAMIN AND SHIRLEY LETHCO 04-00557 Krippendorf/SJ
 Trustee Motion for Contempt for Failure to Comply with Court order filed 6/27 #41

Carmody TAMMY BOYD 06-70611 Wick/SO
 Motion for Relief filed 7/25 #19,24 by CitiFinancial Auto fka TransSouth Financial
 (Higgs) with motion and order to extend the stay #21,23
 Default order entered 8/8 #28 Grants Motion for Relief

Carmody JAMES & JUDY JACOBS 04-74235 Callahan/AF
 Motion to Redeem v. BB&T filed 7/25 #128
 **Recusal Order entered 8/1 #130 re-scheduling hearing for 9/7 at 3 p.m. via video
 conference with Judge Krumm**

Snodgrass RICHARD AND LORETTA CLODFELTER 06-70474 Jessee/LM
 Chapter 7 Trustee Motion for Authority to Accept Settlement filed 7/27 #23, corrected
 #25, 26 and *amended 8/15 #32* (Callahan)

 **Note: Amended notice filed 8/15 #32 cancels the 9/6 hearing and directs written
 objections to be filed not later than 20 days from 8/15/06.**

Plummer PAUL & VIRGINIA CORNETT 06-70761 Callahan/SL
 Application to Proceed in forma pauperis filed 8/3 #13,20, *cont from 8/16*

 Motion for Relief filed 8/3 #14, 18 with Motion to Extend Automatic Stay #16,18 by
 Americredit (with motion and order to Extend Stay #16,19 (Sara John)

ABG 9/6

10:00 A.M. MISCELLANEOUS

Farthing	GARY AND SHELIA LAMPERT Trustee Motion to Approve Compromise to Accept Settlement filed 8/7 #19 (Hutchinson)	05-74398	Jessee/NS
Price	JACKIE AND GLORIA DELP Application for Compensation for Ch 7 Trustee filed 7/26 #55,56, 59,62 (<i>absent objections 5 days prior to hearing order becomes self-executing and hearing is cancelled</i>) Application for Compensation for Attorney for Ch 7 Trustee filed 7/26 57,58, 60,62 (<i>absent objections 5 days prior to hearing order becomes self-executing and hearing is cancelled</i>)	02-02479	Callahan/LM
Farthing	LEANDER AMBURGEY, JR. Application for Compensation for Trustee filed 8/15 #56,58,60,63 (Callahan) (<i>absent objections 5 days prior to hearing order becomes self-executing and hearing is cancelled</i>) Application for Compensation for Trustee's Attorney filed 8/15 #57,59,61,63 (Callahan) (<i>absent objections 5 days prior to hearing order becomes self-executing and hearing is cancelled</i>)	00-03801	Callahan/JM
Timoney	RHONDA STROUTH Application to Proceed <i>in forma pauperis</i> with Affidavit filed 8/7 #4,7 <i>Order entered 8/29 #13 continues the application to 9/20 @10AM</i>	06-70878	Callahan/LM

ABG 9/6

10:00 A.M. MISCELLANEOUS

Copeland	HENRY GARDNER	04-74439	Jessee/AF
	AP 06-07052 ; 456 Declaratory Judgment Trustee (Callahan) vs Ginger Gardner (Esposito) Amended Complaint filed 5/19 #5 (<i>PTC scheduled for 11/8 @ 9:30</i>) Answer and Counterclaim filed 8/4 #13 (Esposito) Motion to Dismiss Counterclaim filed 8/9 #14 (Callahan)		
Lawson	LAMBERT OIL CO., INC.	03-01183	DIP/GR
	Application for Administrative Expense filed 8/8 #269,270 by American Electric Power (Craig) <i>Order entered 8/11 #271 grants application</i>		
Lamie	SANDRA DUFF	06-70649	Wick/JJ
	Motion for Relief filed 8/11 #9,11 by Vanderbilt Mortgage and Finance, Inc. (Maxwell) <u>Answer</u> filed 8/17 #13 (Wick) <u>Response</u> filed 8/28 #18 (Lamie)		
Money	MICHAEL AND TINA HOGSTON	06-70556	Jessee/SJ
	Motion for Relief filed 8/11 #13,15 by State Farm Bank (White)		

ABG 9/6

10:00 A.M. MISCELLANEOUS

McDaniel JESSE WOODY, JR. 05-73694 Callahan/NS
Application for Compensation for Trustee filed 8/8 #52,53,56,59 (Callahan)
*(Absent objections filed 5 days prior to hearing order becomes self-executing and
hearing is cancelled)*

Application for Compensation for Leclair Ryan Flippin Densmore, Trustee Attorney
filed 8/8 #54,55,57,59 (Callahan) *(Absent objections filed 5 days prior to hearing order
becomes self-executing and hearing is cancelled)*

Lamie JEFFREY AND TERESA STEVENS (PFD 10/14/05) 05-75359 Jessee/SJ
Trustee Motion for Turnover Order filed 7/10 #35, *cont from 8/16*

Response filed 7/12 #36 *cont from 8/16*

Harman SHERMAN LOWE, III 04-75018 Jessee/VS
Application for Compensation for Trustee Attorney (fee/\$225, Exp/'0') filed 7/20 #20
(Hutchinson) *cont from 8/16*

Proctor RANDALL & KATRINA PHILLIPS (PFD 10/5/05, **conv 6/23/06**) 05-74236 Wick/AF
Motion for Relief filed 2/14 #21,27 (Bierman) *(cont from 3/8,4/19,8/16)*
(Consent Order entered 5/1 # 49 modifies automatic stay)
Amended Motion filed 7/11 #65,68 by Option One *with motion and order to extend stay*
#66,67 (Bierman) *cont from 8/16*

10:00 A.M. MISCELLANEOUS

Kendrick FREDERICK & MARY HOTALING (PFD 8/22/05) 05-73175 Jessee/LM
Trustee Motion to Approve Compromise filed 7/26 #14 (*notice and motion served on 7/21*) (Hutchinson) (*Letter and proposed settlement agreement filed 8/10 #16*)
Cont from 8/16

Lamie CHARLES & JOY COLEMAN (PFD 9/1/05, **reopened 8/2/06**) 05-73336 Jessee/AF
Order entered 7/13 #13 reopened case subject to Re-open fee paid on 8/2/06
Motion to Avoid Lien (*Capital One Bank, Respondent*) filed 7/12 #12; *pre-hearing order entered 8/8 #19. - cont from 8/16*

Money RICKY AND TAMMY THOMAS 06-70640 Wick/JJ

Motion to Avoid Lien vs Smyth County Community Hospital, Respondent filed 8/15 ##10,13 (Money)

Motion to Avoid Lien vs Highlands Union Bank, Respondent filed 8/15 #11,14 (Money)

Arkema WOODTECH, INC. 02-02451 Krippendorf/SJ

Trustee Objection to Claims filed 6/27 d/e #311

#3 - James Keaton (*amended by claim #132*)
#132 - James Keaton (CLAIM ALLOWED)

#32 - Joey Hall (CLAIM ALLOWED)

#38 - Denis Rose

#39 - Robert East (CLAIM ALLOWED)

Trustee Objection to Claims filed 6/27 d/e #311 *continued from previous page*

#42 - Charles Williams
#113 - Charles Williams

#43 - Doug McBride
#119 - Doug McBride

#45 - Andrew Hardee
#95 - Andrew Hardee

#46 - Randy Church
#133 - Randy Church (CLAIM ALLOWED)

#47 - Buddy Kinser
Response filed 7/28 #312 (Stafford)

#51- Jeremy Day

#52 - Mike Bishop

#53 - Chris Doughty (CLAIM ALLOWED)

#55 - Cindy Harris

#69 - Shawn Green

#73 - Frank Kincer

#75 - Billie Jean Sturges

#81 - Steve Taylor

#82 - Jeff Short

#84 - Stan Shrewsbury

#87 - Charles Pannell

#89 - Ronald Compton

#90 - Billy Stroupe

#96 - James Smith

Arkema

WOODTECH, INC.

02-02451 Krippendorf/SJ

Trustee Objection to Claims filed 6/27 d/e #311 *continued from previous page*

#97 - Sherry Sisk

#100 - Kenneth Dunford

#114 - Vera Buchanan

#115 - Clinton Wood

#116 - Anita Brewster

#118 - James Pendry

#120 - Billy Curry

#121 - Helen Green

#125 - Anthony Steptoe

#127 - Mark Perry (CLAIM ALLOWED)

#129 - Carolyn Farmer

#130 - James Workman

#131 - Frances Harold (CLAIM ALLOWED)

#138 - Ronald Cook (CLAIM ALLOWED)

#142 - Carl Richardson

1:00 P.M. CONFIRMATIONS

Largen

KEITH AND JOELLA JOHNSON

04-03059Widener/SJ

Amended Plan filed 7/6 #61,62 (*Post Confirmation*)

Trustee Report and Show Cause filed 6/13 #53, *cont from 6/21*

ABG 9/6

1:00 P.M. CONFIRMATIONS

Jessee	LISA CLYBURN Plan filed 4/21 #3, <i>cont from 7/19</i>	06-70355	Widener/SJ
Carmody	CYNTHIA SMITH Plan filed 5/25 #5, <i>cont from 8/16 by consent order d/e #12</i> Trustee Report and Show Cause filed 7/27 #11 <i>cont from 8/16</i>	06-70517	Widener/VS
Lamie	KAREN COX (<i>PFD 9/14/05, conv 5/2/06</i>) Amended Plan filed 7/21 #56,58 OBJ: filed 6/30 #47 by Highlands Union Bank (Hutton) <i>cont from 7/19</i> 2) Trustee Report and Show Cause filed 6/27 #46, <i>cont from 7/19</i> 3) Ch 7 Trustee Objection to Debtor's Motion to Convert to Chapter 13 and Motion to Rescind Order Converting Case to Chapter 13 filed 5/3 #32 (Callahan) (<i>Cont from 6/7, 7/19</i>) 4) Motion for Summary Judgement (<i>re Trustee objection to conversion of case</i>) filed 5/9 #35,36 (Lamie) (<i>Cont from 6/7,7/19</i>) 5) Ch 7 Trustee (Jessee) Application for Administrative Expense filed 5/18 #40 (Callahan) (<i>Cont from 6/7,7/19</i>) 6) Ch 7 Trustee (Jessee) Motion to Employ LeClair Ryan as attorney for Trustee filed 5/3 #31 (<i>Cont from 6/7,7/19</i>)	05-73582	Widener/GR
Hutchinson	CHARLES AND ANGEL MUTTER (<i>PFD 7/1/05</i>) Amended Plan filed 6/17 #18,19 (<i>Post Confirmation</i>), <i>cont from 8/16</i> Trustee Motion to Dismiss or Convert filed 6/15 #17, <i>cont from 7/19,8/16</i> Trustee Report and Show Cause filed 8/4 #30 <i>cont from 8/16</i>	05-72560	Widener/SL

ABG 9/6

1:00 P.M. CONFIRMATIONS

Hutchinson MANUEL AND JAMIE MARTINEZ 04-01536 Widener/AF
Amended Plan filed 6/21 #43,44, *cont from 8/16*

Trustee Motion to Dismiss *or Convert* filed 4/25 #40 *cont from 6/7, 8/16*

Trustee Report and Show Cause filed 8/4 #47, *cont from 8/16*

Largen CLAUDE AND MARY NESTER 04-02131 Widener/AF
Amended Plan #3 filed 7/6 #63,64 (*Post Confirmation*)

Trustee Motion to Dismiss or Convert case filed 1/24 #36, *cont from 2/15, 4/19, 5/10, 6/21*

See also Motion for Relief at the 1:30 time frame below pg #11

Lamie DAVID AND WANDA JACKSON 04-03812 Widener/SO
4th Amended Plan filed 7/17 #103,104

Motion for Hardship Discharge filed 7/19 #105,106, *cont from 8/16*

OBJ: filed 8/4 #110 by Trustee *cont from 8/16*

See also Objection to Claim #2 at 1:30 PM below

1:30 P.M. MISCELLANEOUS

Lamie DAVID AND WANDA JACKSON 04-03812 Widener/SO
Debtor Objection to Claim #2 (*Bank of Saltville*) filed 7/26 #108

See Confirmation scheduled at 1:00 above

ABG 9/6

1:30 P.M. MISCELLANEOUS

Largen CLAUDE AND MARY NESTER 04-02131 Widener/AF
 Motion for Relief filed 8/11 #66,69 filed by Washington Mutual Bank (Stewart)

 Response filed 8/17 #71

 (See also confirmation at 1PM time frame pg #10)

Lamie CHRISTOPHER & DEIRDRE EVANS (*conv 6/9/03*) 03-01742 Widener/JJ

 Debtor Objection to Claim #38 of National Grange Mutual Insurance (\$188,147.19)
 filed 7/24 #115 (Lamie)

 Response filed 8/23 #119 (Pledger)

Gifford MARTIN LEEDY 06-70680 Widener/GR
 Debtor Objection to Claim #2 (*Virginia Dept of Taxation*) filed 7/26 #18

Lamie DEBORAH PENNINGTON 04-74658 Widener/SJ
 Motion to Incur Debt to pay out Plan filed 8/4 #61,62

ABG 9/6

1:30 P.M. MISCELLANEOUS

Lamie JOHNNY AND DONNA SMITH 03-04197 Widener/NS
 Motion to Extend Plan *for two months and defer payments for April and May 2006* filed
 7/28 #26,27

Largen JAMES AND THERESA ROBINSON 04-74823 Widener/S
 Motion to Sell filed 8/17 #20 (Largen)

2:00 P.M - MISCELLANEOUS

Lamie WALTER AND REBECCA SPRINKLE **(CH 12)** *conv 4/1/05* 04-01592 Widener/NS
 Motion for Relief filed 12/6 #151, 154 by New Peoples Bank (Kilgore)
 Cont from 1/4, 3/22, 4/19,6/7
 Answer filed 12/14 #158, *cont from 1/4, 3/22, 4/19,6/7*

2:30 TRIAL

Money RALPH TESTERMAN (PFD 10/14/05) 05-75140 Callahan/JJ
 AP 06-07015; 426 Dischargeability 523, amended complaint filed 3/28 #12
 (*Summons issued to pro se plaintiff on 3/29 #13*)
 Lisabeth A. Young (**pro se**) vs Debtor

 Answer filed 6/13 #19

 Consent Order entered 8/23 #20 resolves and settles this AP with stipulation that
 Dismissal is stayed for 30 days